

An underwater photograph showing a diver in the upper right and a large sea turtle swimming towards the right in the lower half. The sun is shining from the surface, creating a bright, hazy area at the top right. The bottom of the frame shows a rocky or coral seabed.

Proposed Bylaws:

# Plastic Bottles & other Plastic Marine Hazards

---

**Eastham Conservation Commission  
Information Session  
January 29, 2020**

# Tonight's Agenda

Why we should act

Where we are in  
the process

What other towns  
are doing

What is covered in  
the proposed  
bylaws

- Focus on plastic pollution
- Focus on reasonable alternatives (and exemptions)

Questions &  
Answers

# Where we are in the process



**2/2019:** Draft “Marine Hazards” bylaw presented & reviewed by Conservation.



**3/2019:** Reviewed by Board of Health & Select Board; however, pushed to 2020 to allow time for public hearings required for adoption of a bylaw.



**5/2019:** 2 petitioned articles: single-use plastic bags and single-use polystyrene food related products approved by Town Meeting.



**8/2019:** Select Board bans use of town funds to buy single-use plastic bottles and distribution on Town property.



**11/2019:** Conservation drafts “Bottle” bylaw. Select Board reviews both at Work Session.



**12/2019:** Finalized drafts reviewed by Town staff & Board of Health; posted online; letters to businesses; webpage created for public.



**1/2020:** Conservation revises draft bylaws based on feedback; additional Board of Health review; public Information Session

## Where we are

- We are following through on two petitions passed overwhelmingly at Town Meeting (264 vs. 22; 269 vs. 14).
- Prohibited use of: (1) point of purchase single-use plastic bags and (2) polystyrene disposable food service items, including straws, etc. *as of November 1, 2020.*
- The petitions weren't presented as bylaws, so aren't enforceable.
- The proposed bylaws are comprehensive and enforceable.
- Select Board also requested a Bottle bylaw proposal.

# PLASTIC FACTS

- In the 60 years that we've been using plastics, we've generated some 8.3 billion metric tons of it.
- Only 9% has ever been recycled. Almost every bit of plastic every produced still exists on the planet.
- About 6 billion pounds of plastic bottles get thrown away each year.
- Only 8% of all plastics every get recycled. Water bottles get recycled at 29%. Aluminum cans at twice that rate.
- Plastic can only be recycled a couple of times before it is useless. Quality goes down each time it is recycled.
- Plastic takes less energy to produce a new bottle than aluminum but uses much more energy to recycle.
- The oceans hold about 150 million tons of plastic.
- 9 million metric tons of plastic are added to the oceans every year.
- Manufacturers are producing 500,000 plastic beverage bottles an hour, mostly from virgin plastics.
- It can take up to 1,000 times the energy to produce one bottle of water as it can to produce a glass of tap water.
- Americans generate 10 million tons of plastic waste a year.
- Massachusetts residents use 2 billion plastic bags a year or about 1 bag per person per day, or 250 bags per foot of our coastline per year.
- In 2018, the Eastham Transfer Station collected over 70 tons of plastics.



# Plastic Bag Bans

- All 15 Cape towns have some form of plastic bag regulations in place or in process.
- Eastham passed a plastic bag ban at the May 6, 2019 Town Meeting. The proposed bylaw would set in place standards for replacement bags and for enforcement.
- Massachusetts has more local bans than any state except California.
  - 135 communities in MA, 57% of the state's population, regulate single-use plastic shopping bags as of December 2019. Bans are present all 14 counties in the Commonwealth.





# Polystyrene Bans

- Provincetown, Wellfleet, Orleans and Dennis have bans in effect.
- Eastham passed a ban by petition at the May 6, 2019 town meeting and now needs to pass a bylaw to make it enforceable.
- The Marine Hazards and Plastics Bylaw would set standards for replacement products and enforcement.



# Balloon Regulations

- Chatham, Provincetown, Orleans and Nantucket.
- Seven states and communities in four others have balloon bans or regulations.
  - California, Connecticut, Florida, New Hampshire, New York, Tennessee, Virginia, various communities in Rhode Island, North Carolina, and Ohio.
- With this bylaw, Eastham would recognize the impact balloons have on the animals that share our oceans and natural resources.





# Plastic Bottles Bans

- 11 Cape towns ban municipal use of water in plastic bottles:
  - Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Orleans, Provincetown, Sandwich, Wellfleet, Yarmouth
- 7 MA towns ban all single-serve water in plastic bottles:
  - Concord, Sudbury, Lincoln, Great Barrington, Aquinnah, Chilmark, West Tisbury
- 3 towns also ban carbonated soft drinks:
  - Aquinnah, Chilmark, West Tisbury



## We will be asking the Select Board to modify the following items in the proposed bylaws:

### What we propose to Change:

- Bottle size to be reduced from less than 34 oz. to 24 oz or less.
- No .10 charge for use of paper bags. Though businesses can choose to charge.
- **No penalties** for either bylaw **until January 1, 2022**. Though bylaws would still become effective November 1, 2020
- Adding tailoring bags to exemptions.

## **Merchants, food, and retail establishments:**

Restaurants

Schools

Farmers markets

Vendors that sell or provides merchandise

Pharmacies

Convenience & grocery stores,

Liquor stores,

Seasonal and temporary businesses,

Jewelry stores,

Household goods stores,

Festivals operated by nonprofit organizations or religious institutions.

# WHO does this apply to?

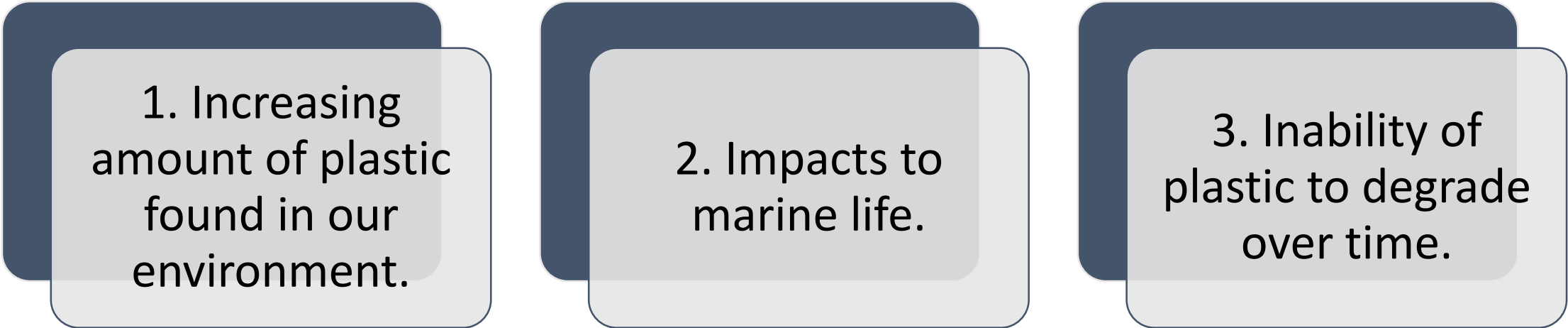


# What's covered

*Focused on plastics ending up in our waters, on our beaches, and along our roadsides:*

- Plastic nips, water, and soft drink bottles.
- Balloons
- Plastic straws
- Plastic carry out bags
- Polystyrene takeout containers and cutlery, plus polystyrene disposable bowls, cups, plates, trays, etc.
- Polystyrene foam coolers & packing peanuts.

# WHY these items?



1. Increasing  
amount of plastic  
found in our  
environment.

2. Impacts to  
marine life.

3. Inability of  
plastic to degrade  
over time.





## The alternatives, accommodations, & exemptions.

- Nips in glass or non-plastic packaging are not included in the bylaw.
- Disposable plastic water bottles are allowed in emergencies.
- Plastic straws are allowed at COA and for people claiming disability.
- Polystyrene and other plastic packaging allowed on products as they are bought from out-of-town, plus for prepackaged meat and produce, eggs.
- Foam coolers enclosed in durable rigid plastic permitted, as well as reuse of foam coolers and peanuts in shipments coming into town.
- Balloons you inflate yourself, except they can't be released. Also, those released by government agencies or science research organizations.



Items **NOT**  
included &  
exemptions



**Eastham Council on  
Aging & Disabled  
Persons (Straws)**



**Public Safety –  
Emergency  
Situations &  
Declarations**

# Alternative Options / Businesses

- **Checkout Bags:** Recycled paper bags, biodegradable bags, and/or reusable bags.
- **Bottles:** Aluminum cans and bottles, paper cartons and bottles, glass bottles. Nips in glass bottles.
- **Containers & cutlery:** Paper, recycled paperboard, fiberboard, bamboo, wheat stalk fiber, sugarcane bagasse, palm leaf, aluminum, reusable polypropylene containers, reusable cutlery and plates
- **Balloons:** Reusable banners and bunting, whirligigs, pinwheels, garden spinners, recyclable paper streamers.
- **Coolers:** Compostable coolers, recycled cardboard boxes with eco-friendly insulation.





# Alternatives to Plastic and Polystyrene



# Plastic Bottle Alternatives

Businesses will find a range of alternative packaging, though not all brands offer it at this time. This is intended as a sampling. Inclusion does not imply endorsement for any product. Sparkling water and carbonated soft drinks are available in cans, and brands in glass bottles.

## **Drinking Water**

- Aluminum Cans: Open Water, Blue Water, Death Water, Manahalu. Pepsi is test marketing Aquafina early this year. Coke will be rolling out Dasani later in 2020.
- Resealable aluminum bottles: Ever Ever, Just Water, Dasani later in 2020.
- Paper cartons: Boxed Water (Boxed Water is Better)
- Resealable paper bottles: Flow Alkaline, Just Water
- Glass bottles: Mainly premium brands such as Acqua Panna, Evian, Voss, Saratoga, Mountain Valley, Icelandic Glacial
- Pay refill stations offering drinking water, with premium add-ons such as chilled, filtered, carbonated, flavors offered by several companies. Dasani is test marketing its version now. Opportunity to sell refillable water bottles, including branded.

# Plastic Bottle Alternatives

The bylaw would replace water and carbonated water in plastic bottles 24 ounces and less with other options, including refillable bottles, and water in aluminum cans, resealable aluminum bottles, paper cartons, paper boxes, and resealable paper cartons, while keeping available drinking water and carbonated waters in larger bottles, such as a liter or a gallon.



THIS



BECOMES





# Carbonated Soft Drinks

Under the bylaw, carbonated soft drinks in plastic bottles would go away and be replaced by aluminum cans, glass bottles, or aluminum bottles. Most brands already offer at least one of these options. Business will continue to sell soft drinks.

**THIS**



**BECOMES**



# THIS STAYS

Only water, carbonated water, and carbonated soft drinks in single serve plastic bottles are banned by the bylaw. Beverages such as juice, milk, iced tea, iced coffee, sports drinks, specialty drinks, and other non-carbonated beverages will remain for sale as they are now.



# Looking Ahead



**Monday, February 3, 2020 @5:30:** Select Board Public Hearing to consider draft from Conservation.



**Monday, May 4, 2020 @7:00:**  
Town Meeting.

If passed by Town Meeting (2/3 vote to approve), proposal is to take effect November 1, 2020. Penalties would not be effective until January 1, 2022.

Questions?



**Select Board Office**

508-240-5900

**Conservation Commission Office**

508-240-5971

[conservation@eastham-ma.gov](mailto:conservation@eastham-ma.gov)